



July 19, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: Written Ex Parte Communication, MB Docket Nos. 14-50, 09-182, 07-294

Dear Ms. Dortch:

Although the Commission determined more than a decade ago that the print newspaper rule no longer serves the public interest,¹ an FCC fact sheet reports that the broadcast ownership order circulating for vote would make no serious modifications to the rule.² In light of this, the National Association of Broadcasters (NAB) is filing for the record the attached information regarding the plight of print newspapers for the Commission's consideration.³ The attached

¹ See *Prometheus Radio Project v. FCC*, Nos. 15-3863, 15-3864, 15-3865 & 15-3866, at 38 (3d Cir. May 25, 2016) (*Prometheus III*) ("[T]he 1975 [cross-ownership] ban remains in effect to this day even though the FCC determined more than a decade ago that it is no longer in the public interest. This has come at significant expense to parties that would be able, under some of the less restrictive options being considered by the Commission, to engage in profitable combinations.").

² FCC, *Fact Sheet: Updating Media Ownership Rules in the Public Interest* (rel. Jun. 27, 2016).

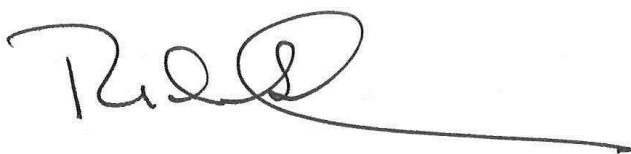
³ Since July 6, NAB has filed various articles discussing the challenges faced by print newspapers and the public's increasing reliance on non-print outlets for news and information. See NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 6, 2016) at Attachment, David Glance, "The story of the nosebleed decline of the newspaper industry told in pictures," *The Conversation* (June 5, 2016), available at: <http://theconversation.com/the-story-of-the-nosebleed-decline-of-the-newspaper-industry-told-in-pictures-60530>; NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 7, 2016) at Attachment, Noah Kulwin, "Jeff Bezos is saving the Washington Post, but he won't be able to save newspapers," *recode* (June 28, 2016) available at: <http://www.recode.net/2016/6/28/12050416/jeff-bezos-saving-washington-post-but-not-newspapers>; NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 8, 2016) at Attachment, Erik Sass, "Print Ad Declines: Newspaper, Magazine Revs Fall Again," *Publishers Daily, TheDailyBlog*, (June 27, 2016), available at: <http://www.mediapost.com/publications/article/279073/printaddeclinesnewspapermagazinerevsfalla.html?print>; NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 11, 2016) at Attachment, Athena Cao, "Newspapers' woes linger as digital ad spending, cable network revenues rise," *USA Today*, (June 15, 2016), available at: <http://www.usatoday.com/story/money/2016/06/15/news-media-yahoo-google-twitter-facebook->

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article discusses how “[p]olitical coverage no longer begins and ends at the edges of your newspaper or television screen.” With Twitter live streaming both the Republican and Democratic national conventions, anyone can “watch gavel-to-gavel coverage and see what people are saying about it on almost any device you own.”⁴

To the extent that Commission’s rationale for restricting print newspaper ownership relates to viewpoint diversity or independent “voices,” NAB notes that a newspaper that has closed its doors can no longer provide a viewpoint or serve as a “voice.” Retaining a rule that deters investment by broadcasters in the struggling print newspaper industry certainly cannot serve the public interest. Rather, the only result that can rationally be expected from the continued prohibition is to hasten the demise of print newspapers.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rick Kaplan', with a long horizontal line extending from the end of the signature.

Rick Kaplan
General Counsel and Executive Vice President
Legal and Regulatory Affairs
Attachment

[verizon-tv/85937176/](http://www.verizon-tv/85937176/); NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 12, 2016) at Attachment, Joshua Benton, "Tampa just lost a daily newspaper; is this the continuation of an old trend or the start of a new one?," NiemanLab, (May 4, 2016), available at: <http://www.niemanlab.org/2016/05/tampa-just-lost-a-daily-newspaper-is-this-the-continuation-of-an-old-trend-or-the-start-of-a-new-one/>; NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 13, 2016) at Attachment, Nick Madigan, "An Abrupt End to The Tampa Tribune After a Blow Delivered by Its Rival," The New York Times, (May 20, 2016) available at: <http://nyti.ms/256WgNS>; NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 14, 2016) at Attachment, Patrick Seitz, "Facebook, Google Cash in on Ads as News Media Firms Struggle," Investor’s Business Daily (June 15, 2016) available at: <http://www.investors.com/news/technology/click/facebook-google-cash-in-on-ads-as-news-media-firms-struggle/>; NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 15, 2016) at Attachment, Margaret Sullivan, "Face it, Facebook. You're in the News Business," Washington Post (July 10, 2016), available at: https://www.washingtonpost.com/lifestyle/style/face-it-facebook-youre-in-the-news-business/2016/07/10/cc53cd70-451a-11e6-bc99-7d269f8719b1_story.html ("With the advent of live-streaming options — Facebook Live and Periscope, primarily — their already huge influence in the news universe has taken another stunning leap."); NAB Ex Parte in MB Docket Nos. 14-50, 09-182, 07-294 (filed July 15, 2016) at Attachment, Benny Evangelista, “Americans turning to mobile phones for news, Pew study shows,” SFGate.com (July 7, 2016), available at: <http://www.sfgate.com/business/article/Americans-turning-to-mobile-phones-for-news-Pew-8344673.php>.

⁴ Dan Tynan, “Democracy in Action on Twitter's Live Stream,” Consumer Reports (July 16, 2016), available at: <http://www.consumerreports.org/phones-mobile-devices/watch-the-convention-coverage-on-twiters-live-stream/> (attached hereto).



Democracy in Action on Twitter's Live Stream

How to watch coverage of the 2016 political conventions with your Tweeps

By Dan Tynan

July 16, 2016

Political coverage no longer begins and ends at the edges of your newspaper or television screen. Twitter has partnered with CBS News to live stream the Republican and Democratic national conventions on its feed, which means you can watch gavel-to-gavel coverage and see what people are saying about it on almost any device you own.

What is Twitter live-streaming?

This new service, which quietly launched in a bare-bones version earlier this month, streams live video coverage of events inside a window on the Twitter site. Curated tweets from other users appear alongside it.

So far, Twitter has livecast coverage (though no actual tennis matches) from Wimbledon. It has also inked a deal to [show 10 NFL Thursday Night games](#), as well as about [150 college sporting events from the Pac-12 Conference](#), and three news programs produced by [Bloomberg Media](#).

What's the difference between watching on Twitter vs. TV?

Twitter is carrying the feed from CBS's streaming news network, [CBSN](#), which is also available on the Web, via the network's mobile app, or the CBSN channel on streaming media players like [Apple TV](#) and [Roku](#). So while traditional couch potatoes will watch coverage from the CBS News team

anchored by Scott Pelley, Twitter fans will see alternate coverage from the network's digital team, lead by Josh Elliott, Elaine Quijano, and Vladimir Duthiers.

Twitter Live viewers will also see that curated series of related tweets alongside the video. If you are someone who follows along with Twitter on your phone as you watch live events, such as the presidential debates or the Oscars, now you can do it on one screen instead of two.

A CBS spokesperson says its digital network will also carry a live stream of tweets on its Web, mobile, and streaming media platforms, but was unable to say whether these tweets would be the same as those carried on Twitter's live feed.

Where can I find Twitter's convention coverage?

Good question. Twitter has yet to announce how people can watch any of these live streams, but says you won't have to have a Twitter account to view them.

"There will be lots and lots of ways Twitter users will be able to find the live stream, but we haven't announced any," says Nick Pacilio, a spokesperson for Twitter.

For Wimbledon, Twitter created a specific page dedicated to the event, though, once again, it didn't offer much info on how to find it.

Why are CBS and Twitter doing this?

"These conventions are such a social event, it makes sense to have the social conversation and coverage integrated in this way," says a CBS spokesperson. "It's a way to extend our reach to new viewers and our social presence."

When asked, Twitter referred us to a [statement issued via press release](#) from company CFO Anthony Noto:

"Twitter is the fastest way to find out what's happening in politics and to have a discussion about it. By bringing the live discussion of the Republican and Democratic national conventions together with CBSN's live video stream of

the proceedings, we believe we're giving people around the world the best way to experience democracy in action."

Where else can I follow the conventions on my gadgets?

As in 2012, YouTube will be the "official" livestream for both the [RNC](#) and [DNC](#) conventions, and will even offer coverage in immersive 360-degree virtual reality, for viewers who have a [Google Cardboard VR](#) headset.

Facebook says it will create a media lounge at both conventions and has invited major media organizations to use Facebook Live to broadcast to the masses. CSPAN already plans to broadcast via [its Facebook page](#) from 8 p.m. to 11 p.m. eastern each evening.

The RNC and DNC also plan to broadcast via Snapchat channels, @gopconvention16 and @demconvention, respectively.

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